

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler  
v. : Criminal Number 10-579 (SRC)  
STEPHEN P. ARENA, and : O R D E R  
DAVID J. CAIVANO

This matter having been opened to the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Anthony Moscato, Assistant U.S. Attorney, appearing), and defendants Stephen P. Arena (Nicholas G. Kaizer, Esq. appearing) and David J. Caivano (Victor Sherman, Esq.), and good cause having been shown, the Court makes the following findings:

1. The discoverable materials in this matter include voluminous amounts of documents and evidence that will be made available for inspection and discovery;

2. Counsel for each defendant will need additional time to review the discovery in this matter and to prepare motions for filing with the Court.

3. Although the case may not be so unusual or so complex, as those terms are used in Title 18, United States Code, Section 3161(h)(7)(B)(ii), failure to grant a continuance in this case, when taken as a whole, would deny counsel for each defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. The failure to grant such a continuance in the proceedings would be likely to result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

5. The ends of justice served by granting a continuance of the trial date outweigh the best interest of the public and each defendant in a speedy trial. 18 U.S.C. § 3161(h)(7).

IT IS, therefore, on this 20 day of October, 2010,

ORDERED that the trial date in this matter is continued until March 1, 2011, and that the period of time from the date of this Order through and including March 1, 2011 shall be excluded for the purposes of computing time under the Speedy Trial Act; and it is further

ORDERED that:

1. The defendants will file pretrial motions on or before January 31, 2011;

2. The United States will respond to such motions on or before February 7, 2011;

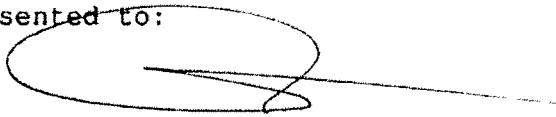
3. The defendants will file any reply papers on or before February 15, 2011;

4. The return date for pretrial motions will be February 21, 2011, at 9:30 a.m.; and

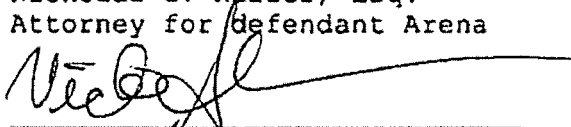
5. Trial will commence on March 1, 2011, at  
9:00 a.m.

HON. STANLEY R. CHESLER  
United States District Judge


Consented to:

  
\_\_\_\_\_  
Anthony Moscato  
Assistant U.S. Attorney


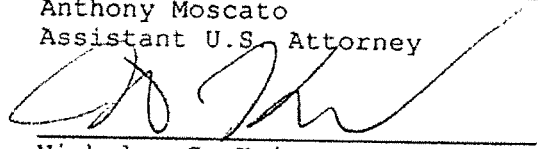
Nicholas G. Kaizer, Esq.  
Attorney for defendant Arena

  
\_\_\_\_\_  
Victor Sherman, Esq.  
Attorney for defendant Caivano

5. Trial will commence on March 1, 2011, at  
9:00 a.m.

  
\_\_\_\_\_  
HON. STANLEY R. CHESLER  
United States District Judge

Consented to:

  
\_\_\_\_\_  
Anthony Moscato  
Assistant U.S. Attorney  
\_\_\_\_\_  
Nicholas G. Kaizer, Esq.  
Attorney for defendant Arena  
\_\_\_\_\_  
Victor Sherman, Esq.  
Attorney for defendant Caivano